IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO. 608 OF 2004
IN
NOTICE OF MOTION NO. 2425 OF 2004
IN
SUIT NO. 2473 OF 2004

Bengal Mills Store Supply Company Appellant

vs.

1. Corrtech International Pvt.Ltd. & ors. Respondents

Mr.D.D. Madon i/b. Mr. Yusuf & Associates for the appellant.

Mr.B.M.Mangukia with Mr.Yogesh Thakar i/b. M/s.Akshar Law for the respondents 1 and 2.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 1st October 2004

P.C.

Heard Mr.Madon, the learned counsel for the appellant and perused the available material including the correspondence between the parties and the impugned order.

2. Refusal to grant ad-interim relief by the learned motion Judge in the facts and circumstances of the case does not call for interference. Needless to say that any observation made by the learned motion Judge in the impugned order is restricted to the consideration of the matter at ad-interim stage and shall not influence the disposal of notice of motion on merits.

3. The learned motion Judge has already made the notice of motion returnable after eight weeks from the date of the order. We expect the learned motion Judge to hear and decide the notice of motion on returnable date or immediately thereafter.

4. With the aforesaid observation, the appeal is dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)